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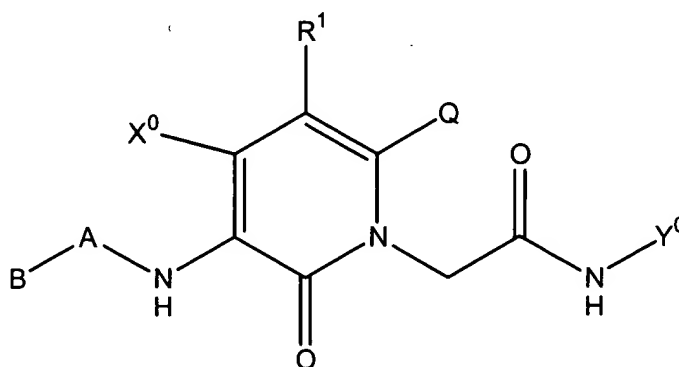
AMENDMENTS TO THE CLAIMS

This Listing of Claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

Claims 1-61 (cancelled)

Claim 62 (previously presented): A compound having the formula:



or a pharmaceutically acceptable salt thereof, wherein:

B is selected from the group consisting of hydrido, C2-C8 alkyl, C3-C8 alkenyl, C3-C8 alkynyl, and C2-C8 haloalkyl, wherein each member of group B is optionally substituted at any carbon up to and including 6 atoms from the point of attachment of B to A with one or more of the group consisting of R^{32} , R^{33} , R^{34} , R^{35} and R^{36} ;

R^{32} , R^{33} , R^{34} , R^{35} and R^{36} are independently selected from the group consisting of hydrido, acetamido, haloacetamido, amidino, guanidino, alkoxy, hydroxy, amino, alkoxyamino, alkylamino, alkylthio, amidosulfonyl, monoalkyl amidosulfonyl, dialkyl

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amidosulfonyl, alkyl, halo, haloalkyl, haloalkoxy, hydroxyalkyl, carboalkoxy, carboxy, carboxamido, cyano, and Q^b ;

A is selected from the group consisting of a single covalent bond and $(CH(R^{15}))_{pa}-(W^7)_r$ wherein r is an integer selected from 0 through 1, pa is an integer selected from 0 through 3, and W^7 is $N(R^7)$;

R^7 is selected from the group consisting of hydrido and alkyl;

R^{15} is selected from the group consisting of hydrido, halo, alkyl, and haloalkyl;

R^1 and X^0 are independently selected from the group consisting of hydrido, hydroxy, hydroxyamino, amidino, amino, cyano, hydroxyalkyl, alkoxy, alkyl, alkylamino, aminoalkyl, alkylthio, alkoxyamino, haloalkyl, haloalkoxy, and halo;

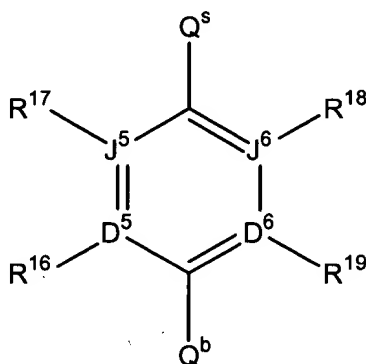
61 Q is selected from the group consisting of aryl and heteroaryl, wherein (a) a ring carbon in a first alpha position relative to the ring carbon at the point of attachment is optionally substituted by R^9 , (b) a ring carbon in a second alpha position relative to the ring carbon at the point of attachment is optionally substituted by R^{13} , (c) a ring carbon, in a first beta position relative to the ring carbon at the point of attachment and in an alpha position relative to the ring atom optionally substituted by R^9 , is optionally substituted by R^{10} , (d) a ring carbon, in a second beta position relative to the ring carbon at the point of attachment and in an alpha position relative to the ring atom optionally substituted by R^{13} , is optionally substituted by R^{12} , and (e) a ring carbon, if present, in the gamma position relative to the ring carbon at the point of attachment and in an alpha position relative to each of the ring atoms optionally substituted by R^{10} and R^{12} , respectively, is optionally substituted by R^{11} ;

R^9 , R^{11} and R^{13} are independently selected from the group consisting of hydrido, hydroxy, amino, amidino, guanidino, alkylamino, alkylthio, alkoxy, alkylsulfinyl, alkylsulfonyl, amidosulfonyl, monoalkyl amidosulfonyl, alkyl, halo, haloalkyl, haloalkoxy, hydroxyalkyl, carboxy, carboxamido, and cyano;

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R^{10} and R^{12} are independently selected from the group consisting of hydrido, acetamido, haloacetamido, amidino, guanidino, alkyl, alkoxy, alkoxyamino, aminoalkyl, hydroxy, amino, alkylamino, alkylsulfonamido, amidosulfonyl, monoalkyl amidosulfonyl, dialkyl amidosulfonyl, hydroxyalkyl, halo, haloalkyl, carboalkoxy, carboxy, carboxyalkyl, carboxamido, and cyano;

Y^0 is formula (IV):



(IV)

wherein D⁵, D⁶, J⁵, and J⁶ are independently selected from the group consisting of C, N, O, S and a covalent bond with the provisos that no more than one is a covalent bond, no more than one of D⁵, D⁶, J⁵ and J⁶ is O, no more than one of D⁵, D⁶, J⁵ and J⁶ is S, one of D⁵, D⁶, J⁵, and J⁶ must be a covalent bond when two of D⁵, D⁶, J⁵, and J⁶ are O and S, and no more than four of D⁵, D⁶, J⁵, and J⁶ are N, with the provisos that R¹⁶, R¹⁷, R¹⁸, and R¹⁹ are each independently selected to maintain the tetravalent nature of carbon, the trivalent nature of nitrogen, the divalent nature of sulfur, and the divalent nature of oxygen;

R¹⁷ and R¹⁸ are independently selected from the group consisting of hydrido, amidino, guanidino, carboxy, haloalkylthio, alkoxy, hydroxy, amino, alkylamino,

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alkylthio, alkylsulfinyl, alkylsulfonyl, alkanoyl, haloalkanoyl, alkyl, halo, haloalkyl, haloalkoxy, hydroxyalkyl, aminoalkyl, and cyano;

R^{16} and R^{19} are independently selected from the group consisting of hydrido, amidino, guanidino, carboxy, haloalkylthio, alkoxy, hydroxy, amino, alkylamino, alkylthio, alkylsulfinyl, alkylsulfonyl, alkanoyl, haloalkanoyl, alkyl, halo, haloalkyl, haloalkoxy, hydroxyalkyl, aminoalkyl, cyano, and Q^b with the proviso that no more than one of R^{16} and R^{19} is Q^b at the same time and that Q^b is Q^{be} ;

Q^b is selected from the group consisting of $NR^{20}R^{21}$, Q^{be} wherein Q^{be} is hydrido, $N(R^{26})C(NR^{25})N(R^{23})(R^{24})$, and $C(NR^{25})NR^{23}R^{24}$;

R^{20} , R^{21} , R^{23} , R^{24} , R^{25} and R^{26} are independently selected from the group consisting of hydrido and alkyl; and

Q^s is CH_2 .

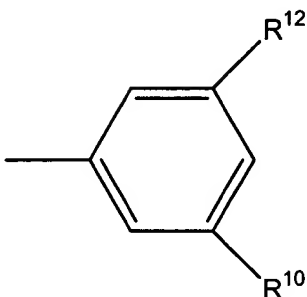
Claim 63 (previously presented): The compound of claim 62 wherein Y^0 is amidinoaralkyl or amidinoheteroaralkyl.

Claim 64 (previously presented): The compound of claim 63 wherein A is a single covalent bond, X^0 is hydrido and R^1 is hydrido or halo.

Claim 65 (previously presented): The compound of claim 64 wherein B is C2-C8 alkyl.

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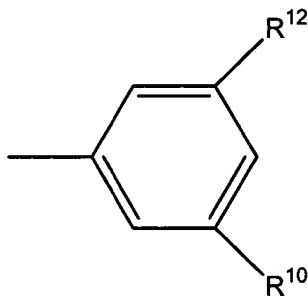
Claim 66 (previously presented): The compound of claim 65 wherein Q is



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and R¹⁰ and R¹² are independently selected from the group consisting of hydrido, acetamido, haloacetamido, amidino, guanidino, alkyl, alkoxy, alkoxyamino, aminoalkyl, hydroxy, amino, alkylamino, alkylsulfonamido, amidosulfonyl, monoalkyl amidosulfonyl, dialkyl amidosulfonyl, hydroxyalkyl, halo, haloalkyl, carboalkoxy, carboxy, carboxyalkyl, carboxamido, and cyano.

Claim 67 (previously presented): The compound of claim 63 wherein Q is

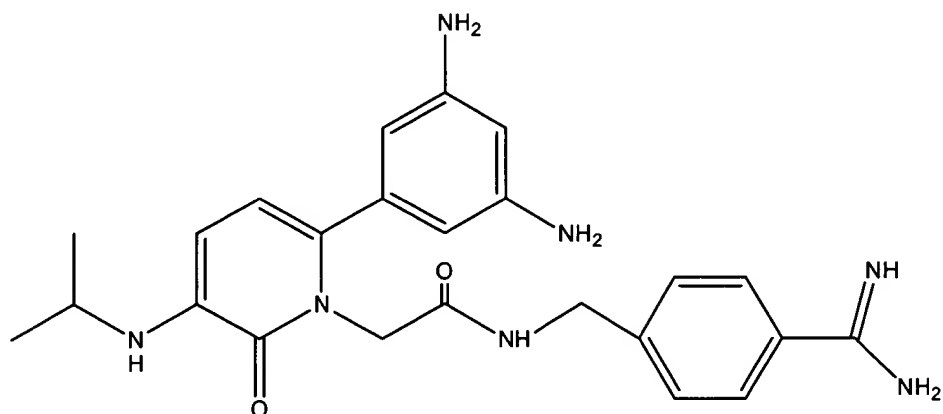


and R¹⁰ and R¹² are independently selected from the group consisting of hydrido, acetamido, haloacetamido, amidino, guanidino, alkyl, alkoxy, alkoxyamino, aminoalkyl, hydroxy, amino, alkylamino, alkylsulfonamido, amidosulfonyl, monoalkyl amidosulfonyl,

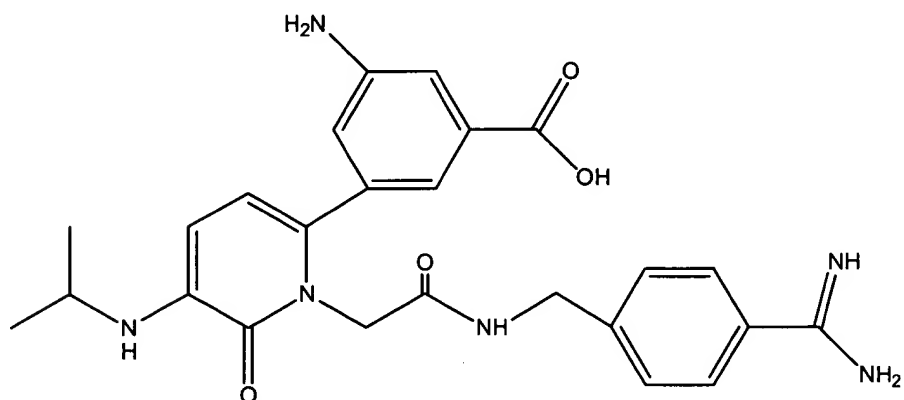
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dialkyl amidosulfonyl, hydroxyalkyl, halo, haloalkyl, carboalkoxy, carboxy, carboxyalkyl, carboxamido, and cyano.

Claim 68 (previously presented): The compound of claim 62 wherein the compound is



Claim 69 (previously presented): The compound of claim 62 wherein the compound is



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Claim 70 (currently amended): The compound of claim 62 wherein Q is ~~3-amidocarbonyl-5-aminophenyl~~ 3-carboxamido-5-aminophenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

Claim 71 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-benzylamidocarbonyl)phenyl~~ 3-amino-5-(N-benzylcarboxamido)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

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Claim 72 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-(2-chlorobenzyl)amidocarbonyl)phenyl~~ 3-amino-5-(N-(2-chlorobenzyl)carboxamido)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

Claim 73 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-(N-(2-chlorobenzyl)amidosulfonyl)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

Claim 74 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-(trifluoromethylbenzyl)amidocarbonyl)phenyl~~ 3-amino-5-(N-(trifluoromethylbenzyl)carboxamido)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

Claim 75 (previously presented): The compound of claim 62 wherein Q is 3,5-diaminophenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

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Claim 76 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxyphenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro and X⁰ is hydrido.

Claim 77 (currently amended): The compound of claim 62 wherein Q is ~~3-amidocarbonyl-5-aminophenyl~~ 3-carboxamido-5-aminophenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

61 Claim 78 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-benzylamidocarbonyl)phenyl~~ 3-amino-5-(N-benzylcarboxamido)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 79 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-(2-chlorobenzyl)amidocarbonyl)phenyl~~ 3-amino-5-(N-(2-chlorobenzyl)carboxamido)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 80 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-(N-(2-chlorobenzyl)amidosulfonyl)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 81 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-(trifluoromethylbenzyl)amidocarbonyl)phenyl~~ 3-amino-5-(N-(trifluoromethylbenzyl)carboxamido)phenyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

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Claim 82 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is (S)-2-butyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 83 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is ethyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

61
Claim 84 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is 2-propenyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 85 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is isopropyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 86 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is 2-butyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 87 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is (R)-2-butyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 88 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is 3-pentyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

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Claim 89 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is tert-butyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

Claim 90 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is butyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is hydrido and X⁰ is hydrido.

61
Claim 91 (currently amended): The compound of claim 62 wherein Q is ~~3-amidocarbonyl-5-amino-2-thienyl~~ 3-carboxamido-5-amino-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

Claim 92 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-benzylamidocarbonyl)-2-thienyl~~ 3-amino-5-(N-benzylcarboxamido)-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

Claim 93 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-(2-chlorobenzyl)amidocarbonyl)-2-thienyl~~ 3-amino-5-(N-(2-chlorobenzyl)carboxamido)-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

Claim 94 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-(N-(2-chlorobenzyl)amidodisulfonyl)-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

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Claim 95 (currently amended): The compound of claim 62 wherein Q is ~~3-amino-5-(N-(trifluoromethylbenzyl)amidocarbonyl)-2-thienyl~~ 3-amino-5-(N-(trifluoromethylbenzyl)carboxamido)-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

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Claim 96 (previously presented): The compound of claim 62 wherein Q is 3,5-diamino-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

Claim 97 (previously presented): The compound of claim 62 wherein Q is 3-amino-5-carboxy-2-thienyl, B is 2-propyl, A is a single bond, Y⁰ is 4-amidinobenzyl, R¹ is chloro or hydrido and X⁰ is hydrido.

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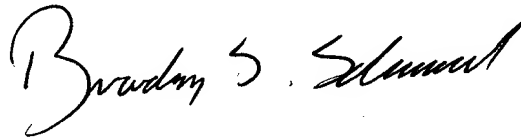
CONCLUSION

In order to bring the "Amendments to the Claims" section in compliance under 37 C.F.R. 1.121, applicants have recited that claims 1-61 have been cancelled in the Listing of Claims section.

In light of the foregoing, applicants respectfully request withdrawal of the objections to the claims and solicit an allowance of the claims. The Examiner is invited to contact the undersigned attorney should any issue remain unresolved.

The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bradley S. Schammel". The signature is fluid and cursive, with the first name "Bradley" being more prominent than the last name "Schammel".

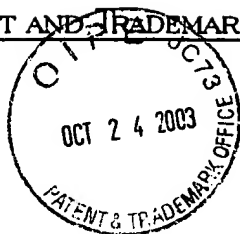
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EJH/BSS/vlm



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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9/16/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. **Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.**

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

P. Stanback
Legal Instruments Examiner (LIE)